

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ZHENG LI,

Plaintiff,

v.

SOMERSET STUDIOS, INC., Z
GALLERIE, and EDITIONS LIMITED
WEST, INC.,

Defendants.

VERDICT

FILED IN OPEN COURT
U.S.D.C. - Atlanta

APR 24 2015

JAMES N. HATTEN, Clerk

By: R. Bachelman Deputy Clerk

CIVIL ACTION NO.
1:12-CV-3523-LMM

Copyright – Ownership and Validity

1. Do you find from a preponderance of the evidence that Plaintiff Zheng Li registered *Piano No. 9* with the United States Copyright Office?

Answer Yes or No

yes

If you answered “Yes,” continue to the next question. If you answered “No,” do not answer any more questions.

2. Do you find from a preponderance of the evidence that Plaintiff Zheng Li has proven that the claimed work, *Piano No. 9*, was original to Plaintiff Zheng Li?

Answer Yes or No

yes

If you answered “Yes,” continue to the next question. If you answered “No,” do not answer any more questions.

3. Do you find from a preponderance of the evidence that Plaintiff Zheng Li has proven that the claimed work possesses at least a minimal degree of creativity?

Answer Yes or No yes

If you answered "Yes," continue to the next question. If you answered "No," do not answer any more questions.

4. Do you find that Plaintiff Zheng Li is seeking copyright protection in:

- a. A portion of a work that is not original to Plaintiff Zheng Li;
- b. A portion of a work that is in the public domain; or
- c. An idea, concept, principle, discovery, fact, actual event, process, or method expressed or described in a work.

Answer Yes or No no

If your answer to the above question is "Yes," as to any material in which Plaintiff Zheng Li is claiming copyright protection, you must exclude that material from the material on which Plaintiff Zheng Li's copyright infringement claim can be based. Continue to the next question.

5. Do you find that Plaintiff Zheng Li is seeking copyright protection in matter that may only be expressed in so few ways that to protect the expression would effectively grant Plaintiff Zheng Li a monopoly over matter that isn't protectable by copyright?

Answer Yes or No no

If your answer to the above question is "Yes" for any of the material in which Plaintiff Zheng Li is claiming copyright protection, you must exclude that material from the material on which Plaintiff Zheng Li's copyright infringement claim can be based. Continue to the next question.

Copyright – Infringement

6. Do you find that the creator of *Piano Coloratura* had access to Plaintiff Zheng Li's work *Piano No. 9* – that is, that the creator of *Piano Coloratura* had a reasonable opportunity to view *Piano No. 9* before the creation of *Piano Coloratura*?

Answer Yes or No yes

Do you find that the allegedly copied portion of Plaintiff Zheng Li's work *Piano No. 9* is substantially similar to *Piano Coloratura*?

Answer Yes or No

yes

If you answered "No" to either portion of this question, proceed to Question No. 7. If you answered "Yes" to both portions, you may skip Question No. 7 and proceed to No. 8.

7. Do you find that the allegedly copied part of Plaintiff Zheng Li's work is so strikingly similar to Defendants' work that the similarity is unlikely to have occurred unless there was copying of Plaintiff Zheng Li's work?

Answer Yes or No

If you answered "No" to Question No. 7, do not answer any more questions. If you answered "Yes" to Question No. 7, proceed to No. 8.

8. Do you find that Defendants' work *Piano Coloratura* was independently created and was **not** copied from Plaintiff Zheng Li's work?

Answer Yes or No

no

If you answered "No" to Question No. 8, you must find for Plaintiff Zheng Li on Plaintiff Zheng Li's copyright-infringement claim against all Defendants. If you answered "Yes" to Question No. 8, do not answer any more questions.

Damages - Profits

9. With respect to your finding that one or more Defendants has infringed Plaintiff Zheng Li's copyright, what amount of money do you determine to be Defendants' respective profits, if any, earned because of infringements?

Answer concerning Defendant Somerset Studios, Inc.:

\$ 450,211.36

Answer concerning Defendant Z Gallerie:

\$ 322,629.75

Answer concerning Defendant Limited Editions West, Inc.:

\$ 112,333.00

Ashley D. Charrault
Foreperson's signature

DATE: 4/24/2015